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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,877	02/28/2001	Andrew Augustine Wajs	05683.P028	3487
7590	06/16/2004			
Andre L. Marais Blakely, Sokoloff, Taylor & Zafman LLP 12400 Wilshire Boulevard, Seventh Floor Los Angeles, CA 90025			EXAMINER KIM, AHSHIK	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/763,877	Applicant(s) WAJS, ANDREW AUGUSTINE	
	Examiner Ahshik Kim	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/12/04 (Preliminary Amendment).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-6 and 8-10 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in
5 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is
eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)
has been timely paid, the finality of the previous Office action has been withdrawn pursuant to
37 CFR 1.114. Applicant's submission filed on December 12, 2003 has been entered.

Preliminary Amendment

10 2. Receipt is acknowledged of the preliminary amendment filed on March 12, 2004. In the
amendment claims 2 and 7 were canceled, and claims 1, 3-6, 8, and 9 were amended. Currently,
claims 1, 3-6, and 8-10 remain for examination.

Drawings

15 3. Drawings appear to be informal, which were acceptable for examination. Applicant is
respectfully suggested to submit formal drawings in response to this Office Action or when the
case is allowed.

Claim Objections

20 4. Claims 1, 3, 4, and 8-10 are objected to because of the following informalities:
Re claim 1, line 1: substitute "Security system" with --A security system--.

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Re claim 3, line 1: substitute "Security system" with --A security system-- or --The security system--.

Re claim 4, line 1: substitute "Security system" with --A security system-- or --The security system--.

5 Re claim 4, line 1: substitute "secure device ship" with --secure device chip--.

Re claim 4, line 1: substitute "secure device ship" with --secure device chip--.

Re claim 8, line 1: substitute "Method for" with --A method for--.

Re claim 9, line 1: substitute "Method " with --A method-- or --The method--.

Re claim 10, line 1: substitute "Method " with --A method-- or --The method--.

10 Appropriate correction is required.

Allowable Subject Matter

5. Claims 1, 3-6, and 8-10 allowed.

6. The following is a statement of reasons for the indication of allowable subject matter: the
15 claims are directed at a security system for preventing unauthorized use. , the system comprising
a plurality of secure devices whose chip circuitry layouts are unique to each devices, and the
devices perform same algorithms and logic. The circuitry layouts of the secure device is
implemented in Field Programmable Gate Array (FPGA) technology, wherein the layout is
programmed in the FPGA circuitry in a volatile and/or non-volatile manner. Cited references in
20 this Office Action and previous Office Action(s), taken alone or in combinations, fail to teach or
suggest that a chip circuitry layout is programmed in FPGA circuitry in a volatile and/or non-
volatile manner.

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7. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS**

5 from the mailing date of this letter.

Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Fields et al. (US 6,223,326); Tilford et al. (US 5,915,020); Jacobson et al. (US 6,192,436) disclose smart card comprising FPGA architecture. Applicant is respectfully suggested to carefully review these references.

15 II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax number directly to the Examiner is (571)273-2393. The fax phone number for this Group is (703)872-9306.

25 Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

30 

Ahshik Kim
Patent Examiner
35 Art Unit 2876
June 10, 2004